UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:20-cv-153-RJC-DCK

WADDELL BYNUM, JR.,)	
Plaintiff,))	
VS.)	ODDED
DEKALB COUNTY SANITATION, et al.,)))	<u>ORDER</u>
Defendants.)))	

THIS MATTER is before the Court on its June 17, 2020, Order, (Doc. No. 3).

Plaintiff filed a *pro se* Complaint and an Application to proceed *in forma pauperis*. (Doc. Nos. 1, 2). However, the Application was unsigned, incomplete, and partially illegible. The Court denied the Application and granted Plaintiff the opportunity to file an amended Application within 14 days. (Doc. No. 3). The Court cautioned Plaintiff that the failure to do so would result in this action's dismissal without prejudice and without further notice. (Id.).

Plaintiff filed an incomplete, unsigned, late Amended Application on July 20, 2020. (Doc. No. 4). He filed a signature page on August 5, 2020, (Doc. No. 5), but the Application is still incomplete. Petitioner failed to comply with the Court's June 17, 2020 Order and, therefore, this action will be dismissed without prejudice. Fed. R. Civ. P. 41(b) ("If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it."); Link v. Wabash R.R. Co., 370 U.S. 626, 631-33 (1962) (although Rule 41(b) does not expressly provide for *sua sponte* dismissal, a district court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

IT IS, THEREFORE, ORDERED that:

- 1. This action is **DISMISSED** without prejudice for Plaintiff's failure to comply with the Court's June 17, 2020 Order.
- 2. The Clerk of this Court is directed to terminate this action.

Signed: August 18, 2020

Robert J. Conrad, Jr.

United States District Judge